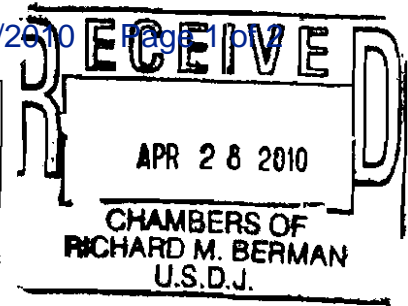




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April 27, 2010

**By Fed Ex**

The Honorable Richard M. Berman  
 United States District Judge  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 650  
 New York, New York 10007

**MEMO ENDORSED****p2**

Re: *United States vs. Aafia Siddiqui*  
 08 Cr. 826 (RMB)

Dear Judge Berman:

We represent defendant Aafia Siddiqui (hereafter Dr. Siddiqui) in the above-captioned proceeding. We write to request an adjournment of the sentencing of Dr. Siddiqui, which is currently scheduled for July 21, 2010 at 9:30 a.m. Under the current briefing schedule, defense counsel and the government are to file their sentencing memoranda on June 28, 2010 and July 12, 2010 respectively. We seek an adjournment of approximately 26 days to the week of August 16, 2010 for the reasons outlined below. The government has consented to our request. This is defense counsel's second application for an adjournment of Dr. Siddiqui's sentencing.

The primary reason for seeking an adjournment of Dr. Siddiqui's sentencing is a schedule conflict of counsel, Charles Swift, with the July 21, 2010 date currently chosen by this Court. Mr. Swift is scheduled to be in a Federal trial (*US v. Mubarek Hamed*, case # 4:07-cr-00087-NKL-2) in Kansas City, Missouri, starting on July 5. This case is scheduled to last not more than six weeks, with the case to go to the jury not later than August 13, 2010. This trial has been scheduled for months, well before the first adjournment date of July 21, 2010 was chosen.

In addition, Mr. Swift will be unavailable after the end of the week of August 16, 2010 until the end of September (September 21, 2010 at the earliest) due to his wedding which is scheduled for the week of August 23, followed by a pre-planned vacation after his wedding. He will return to the States on September 19. Again, this wedding and vacation was planned and scheduled well before the date chosen by this Court for the first adjournment date of July 21, 2010.

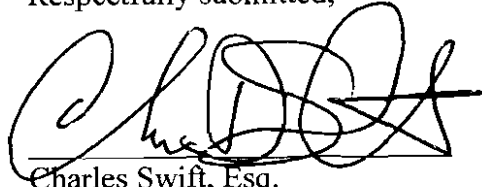
Mr. Swift has been an integral part of Dr. Siddiqui's case, and he believes it is important that he is present at the sentencing. Although Dawn Cardi has a large role in the mitigation and preparation of the social history surrounding our client, Mr. Swift has

Honorable Richard M. Berman  
April 12, 2010  
p. 2

an equally large role in the preparation of the various legal arguments surrounding the sentencing itself, the ranges to be imposed, and the legal arguments which will necessarily come out at sentencing. The need for his presence at sentencing cannot be understated. We believe it is important for all members of the Siddiqui defense team be present at Dr. Siddiqui's sentencing. At this time, the week of August 16 is a week the government and the defense team can all be present.

We thank the Court for its consideration of this request.

Respectfully submitted,



Charles Swift, Esq.  
SWIFT & MCDONALD, P.S.  
2003 Western Avenue, #330  
Seattle, WA 98121

206.441.3377 (tel.)

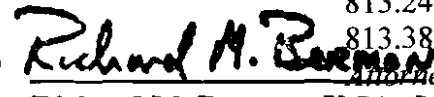
206.224.9908 (fax)

Attorney for Aafia Siddiqui

Counsel's arguments are  
persuasive. The sentencing --  
but NOT the written submissions  
schedule -- is adjourned to 8/16/10  
@ 9:30 A.M. Written submission  
schedule is FIRM.

SO ORDERED:

Date: 4/28/10



Richard M. Berman, U.S.D.J.

/s/ \_\_\_\_\_  
Linda Moreno, Esq.

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Attorney for Aafia Siddiqui

/s/ \_\_\_\_\_  
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